



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/Sub.2/1994/L.33
19 August 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 4

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE
SUB-COMMISSION HAS BEEN CONCERNED

Mr. Bengoa, Mr. Boutkevitch, Ms. Chavez, Mrs. Daes, Mr. El-Hajjé,
Mr. Fix Zamudio, Mrs. Forero Ucros, Mr. Guissé, Mrs. Gwanmesia,
Mr. Hatano, Mr. Hakim, Mr. Khalil, Mr. Khan, Mr. Maxim, Ms. Palley,
Mr. Ramadhane, Ms. Warzazi and Mr. Yimer: draft resolution

Recognition of gross and large-scale violations of
human rights as an international crime

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Aware that gross and large-scale violations of human rights are a matter of
grave concern for mankind,

Believing that such violations, if they are perpetrated on the orders of
Governments or are sanctioned by them, pose the greatest danger to mankind,

Having discussed the working paper (E/CN.4/Sub.2/1993/10 and Corr.1)
submitted by Mr. Stanislav Chernichenko in accordance with its decision 1992/109
of 27 August 1992,

Referring to its resolution 1993/30 of 25 August 1993, concerning the appointment of Mr. Stanislav Chernichenko as Special Rapporteur to prepare a report entitled "Recognition of gross and large-scale violations of human rights perpetrated on the orders of Governments or sanctioned by them as an international crime",

Taking into account decision 1994/103 of 4 March 1994 of the Commission on Human Rights, in which it decided to request the Sub-Commission to reconsider, without prejudice to the independence of the Sub-Commission and its members, its decisions to recommend new studies and related efforts, including the above-mentioned report,

Considering, however, that the preparation of this report is very important and opportune,

Taking also into account that the Special Rapporteurs on the right to a fair trial, Mr. Stanislav Chernichenko and Mr. William Treat, completed their study in 1994,

Expressing its appreciation to Mr. Stanislav Chernichenko for the working paper on the definition of gross and large-scale violations of human rights as an international crime,

1. Decides to recommend to the Commission on Human Rights the appointment of Mr. Stanislav Chernichenko as Special Rapporteur to prepare a report entitled "Recognition of gross and large-scale violations of human rights perpetrated on the orders of Governments or sanctioned by them as an international crime";

2. Also decides to consider the report of the Special Rapporteur at its forty-seventh session under the agenda item entitled "Review of further developments in fields with which the Sub-Commission has been concerned";

3. Further decides to recommend that the Special Rapporteur take into account the comments made on his working paper at its forty-fifth and forty-sixth sessions;

4. Recommends that the Special Rapporteur include in his report a draft declaration on the question mentioned above;

5. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, noting resolution 1994/... of ... August 1994 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, endorses the recommendation to appoint Mr. Stanislav Chernichenko as Special Rapporteur to prepare a report on the recognition of gross and large-scale violations of human rights perpetrated on the orders of Governments or sanctioned by them as an international crime, and requests the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the completion of his task."
